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July 8, 2014

BY ECF

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
United States Courthouse
40 Centre Street, Courtroom 905
New York, New York 10007

Re: *United States v. Stephen Basciano,*
13 Cr. 340 (RJS)

Dear Judge Sullivan:

This letter is submitted in connection with the sentencing of Stephen Basciano, whom I represent in the above-entitled action. Mr. Basciano's sentencing is scheduled for tomorrow, July 9, 2014, at 2 p.m. However, for the reasons set forth below, it is respectfully requested that the sentencing be adjourned. I have spoken with Assistant United States Attorney Rebecca G. Mermelstein, who has informed me that the government consents to this request.

Last week I was hospitalized for three days due to an infection in my jaw. Upon release from the hospital, I had two teeth extracted (because they were the ostensible source of the problem). While yesterday I was able to return to work, I am not yet at full strength (and still on strong antibiotics), and am uncomfortable proceeding with such an important aspect of Mr. Basciano's case in less than optimal condition. In addition, last week Mr. Basciano and I were planning to review his remarks to the Court, but we were unable to do so due to my indisposition.

Accordingly, it is respectfully requested that Mr. Basciano's sentencing be adjourned. Regarding re-scheduling, I am trying to avoid the Metropolitan Correctional Center until I am fully healed. I have a trial beginning August 4, 2014, in the Southern District of New York, that is anticipated to last two weeks. AUSA Mermelstein does not have a scheduled trial until

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September. Also, July 31, 2014, and August 1, 2014, I will be spending part of each day in Philadelphia at the National Association of Criminal Defense Lawyers' Annual meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua L. Dratel", written in a cursive style.

Joshua L. Dratel

JLD/

cc: Rebecca G. Mermelstein
Assistant United States Attorney